

WARRICK COUNTY COMMISSIONERS
RESOLUTION 2009- 13

A RESOLUTION APPROVING AND ADOPTING A
MEMORANDUM OF AGREEMENT TRANSFERRING
JURISDICTION OF A ROADWAY BETWEEN
WARRICK COUNTY AND THE TOWN OF NEWBURGH

WHEREAS, the County and the Town are parties to that certain Agreement dated June 14, 2004, relating to the construction of a Newburgh-Warrick County Ohio River Greenway Project ("Greenway Project"), and said Agreement provides that the Town will serve as the lead agency on the Greenway Project; and

WHEREAS, the County has jurisdiction of that part of old SR 662 located outside of the Town, beginning at the Town's eastern limit and terminating at the junction of old SR 662 and SR 66 ("Old SR 662 East of Town"); and

WHEREAS, part of the Greenway Project will require the use of some part of the right-of-way of old SR 662, both inside and outside the corporate limits of the Town; and

WHEREAS, the County has jurisdiction of that part of old SR 662 located outside of the Town beginning at the Town's eastern limit and terminating at the junction of old SR 662 and SR 66, and

WHEREAS, IC §8-23-4-12 provides:

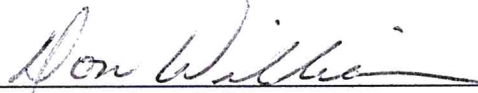
The transfer of roads or streets between systems requires a memorandum of agreement signed by both the transferring agency or unit of government and by the agency or unit of government assuming jurisdiction over the road. The memorandum must state the following:

1. *The purpose of the transfer.*
2. *The effective date of the transfer.*
3. *Any conditions agreed to by the signers.*

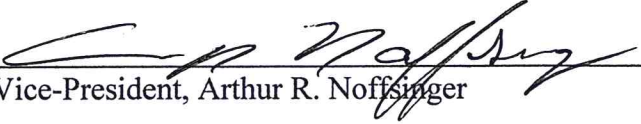
WHEREAS, the Town and the County have agreed that it is the best interest of the people of the Town and the County that jurisdiction of Old SR 662 East of Town be transferred to the Town by the County and that jurisdiction over that roadway should rest with the Town and County shall have no jurisdiction over such roadway, pursuant to the attached Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Memorandum of Agreement, dated the 12th day of August, 2009, transferring jurisdiction of Old SR 662 East of Town to the Town of Newburgh is approved this 10th day of August, 2009.

**BOARD OF COMMISSIONERS OF
WARRICK COUNTY, INDIANA**



President, Don Williams



Vice-President, Arthur R. Noffsinger



Member, Timothy Mosbey

ATTEST:



Warrick County Auditor, Lawrence C. Lacer

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